

study, of the feasibility of diverting water from any portion of the Great Lakes within the United States, or from any tributary within the United States of any of the Great Lakes, for use outside the Great Lakes basin, unless such study or expenditure is approved by the Governor of each of the Great Lakes States. The prohibition of the preceding sentence shall not apply to any study or data collection effort performed by the Corps of Engineers or other Federal agency under the direction of the International Joint Commission in accordance with the Boundary Waters Treaty of 1909.

**(f) Previously authorized diversions**

This section shall not apply to any diversion of water from any of the Great Lakes which is authorized on November 17, 1986.

(Pub. L. 99-662, title XI, §1109, Nov. 17, 1986, 100 Stat. 4230.)

**CODIFICATION**

Section was enacted as part of the Water Resources Development Act of 1986, and not as part of the Water Resources Planning Act which comprises this chapter.

**GREAT LAKES CONSUMPTIVE USE STUDY**

Pub. L. 100-4, title V, §521, Feb. 4, 1987, 101 Stat. 88, provided that in recognition of the serious impacts on the Great Lakes environment that could occur as a result of increased consumption of Great Lakes water, including loss of wetlands and reduction of fish spawning and habitat areas, as well as serious economic losses to vital Great Lakes industries, the Secretary of the Army in cooperation with the Administrator, other interested departments, agencies, and instrumentalities of the United States, and the eight Great Lakes States, was authorized to conduct a study of the effects of Great Lakes water consumption on economic growth and environmental quality in the Great Lakes region and of control measures that could be implemented to reduce the quantity of water consumed, and further provided an appropriation of \$750,000 for fiscal years beginning after Sept. 30, 1986, to carry out such study.

Similar provisions were contained in Pub. L. 99-662, title XI, §1147, Nov. 17, 1986, 100 Stat. 4253.

**MEASUREMENTS OF LAKE MICHIGAN DIVERSIONS**

Section 1142 of Pub. L. 99-662 provided that:

“(a) Beginning October 1, 1987, the Secretary, in cooperation with the State of Illinois, shall carry out measurements and make necessary computations required by the decree of the United States Supreme Court (388 U.S. 426) relating to the diversion of water from Lake Michigan and shall coordinate the results with downstate interests. The measurements and computations shall consist of all flow measurements, gauge records, hydraulic and hydrologic computations, including periodic field investigations and measuring device calibrations, necessary to compute the amount of water diverted from Lake Michigan by the State of Illinois and its municipalities, political subdivisions, agencies, and instrumentalities, not including water diverted or used by Federal installations.

“(b) There are authorized to be appropriated \$250,000 per fiscal year for each fiscal year beginning after September 30, 1986, to carry out this section, including those funds necessary to maintain the measurements and computations, as well as necessary capital construction costs associated with the installation of new flow measurement devices or structures declared necessary and appropriate by the Secretary.”

**CHAPTER 20—ELECTIVE FRANCHISE**

**SUBCHAPTER I—GENERALLY**

Sec.

1971.

Voting rights.

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- (a) Race, color, or previous condition not to affect right to vote; uniform standards for voting qualifications; errors or omissions from papers; literacy tests; agreements between Attorney General and State or local authorities; definitions.
- (b) Intimidation, threats, or coercion.
- (c) Preventive relief; injunction; rebuttable literacy presumption; liability of United States for costs; State as party defendant.
- (d) Jurisdiction; exhaustion of other remedies.
- (e) Order qualifying person to vote; application; hearing; voting referees; transmittal of report and order; certificate of qualification; definitions.
- (f) Contempt; assignment of counsel; witnesses.
- (g) Three-judge district court: hearing, determination, expedition of action, review by Supreme Court; single-judge district court: hearing, determination, expedition of action.

1972.

Interference with freedom of elections.

**SUBCHAPTER I-A—ENFORCEMENT OF VOTING RIGHTS**

1973.

Denial or abridgement of right to vote on account of race or color through voting qualifications or prerequisites; establishment of violation.

1973a.

Proceeding to enforce the right to vote.

- (a) Authorization by court for appointment of Federal examiners.
- (b) Suspension of use of tests and devices which deny or abridge the right to vote.
- (c) Retention of jurisdiction to prevent commencement of new devices to deny or abridge the right to vote.

1973b.

Suspension of the use of tests or devices in determining eligibility to vote.

- (a) Action by State or political subdivision for declaratory judgment of no denial or abridgement; three-judge district court; appeal to Supreme Court; retention of jurisdiction by three-judge court.
- (b) Required factual determinations necessary to allow suspension of compliance with tests and devices; publication in Federal Register.
- (c) “Test or device” defined.
- (d) Required frequency, continuation and probable recurrence of incidents of denial or abridgement to constitute forbidden use of tests or devices.
- (e) Completion of requisite grade level of education in American-flag schools in which the predominant classroom language was other than English.

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	(f) Congressional findings of voting discrimination against language minorities; prohibition of English-only elections; other remedial measures.		(e) Proceeding by Attorney General to enforce the counting of ballots of registered and eligible persons who are prevented from voting.
1973c.	Alteration of voting qualifications and procedures; action by State or political subdivision for declaratory judgment of no denial or abridgement of voting rights; three-judge district court; appeal to Supreme Court.		(f) Jurisdiction of district courts; exhaustion of administrative or other remedies unnecessary.
1973d.	Federal voting examiners; appointment.	1973k.	Termination of listing procedures; basis for termination; survey or census by Director of the Census.
1973e.	Examination of applicants for registration.	1973l.	Enforcement proceedings.
	(a) Form of application; requisite allegation of nonregistration.		(a) Criminal contempt.
	(b) Placement of eligible voters on official lists; transmittal of lists.		(b) Jurisdiction of courts for declaratory judgment, restraining orders, or temporary or permanent injunction.
	(c) Certificate of eligibility.		(c) Definitions.
	(d) Removal of names from list by examiners.		(d) Subpenas.
			(e) Attorney's fees.
1973f.	Observers at elections; assignment; duties; reports.	1973m.	Omitted.
1973g.	Challenges to eligibility listings.	1973n.	Impairment of voting rights of persons holding current registration.
	(a) Filing of challenge; supplementary affidavits; service upon person challenged; hearing; review.	1973o.	Authorization of appropriations.
	(b) Rules and regulations by Director of the Office of Personnel Management.	1973p.	Separability.
	(c) Subpena power of Director of the Office of Personnel Management; contempt.	SUBCHAPTER I-B—SUPPLEMENTAL PROVISIONS	
1973h.	Poll taxes.	1973aa.	Application of prohibition to other States; "test or device" defined.
	(a) Congressional finding and declaration of policy against enforced payment of poll taxes as a device to impair voting rights.	1973aa-1.	Residence requirements for voting.
	(b) Authority of Attorney General to institute actions for relief against enforcement of poll tax requirement.		(a) Congressional findings.
	(c) Jurisdiction of three-judge district courts; appeal to Supreme Court.		(b) Congressional declaration: durational residency requirement, abolishment; absentee registration and balloting standards, establishment.
1973i.	Prohibited acts.		(c) Prohibition of denial of right to vote because of durational residency requirement or absentee balloting.
	(a) Failure or refusal to permit casting or tabulation of vote.		(d) Registration: time for application; absentee balloting: time of application and return of ballots.
	(b) Intimidation, threats, or coercion.		(e) Change of residence; voting in person or by absentee ballot in State of prior residence.
	(c) False information in registering or voting; penalties.		(f) Absentee registration requirement.
	(d) Falsification or concealment of material facts or giving of false statements in matters within jurisdiction of examiners or hearing officers; penalties.		(g) State or local adoption of less restrictive voting practices.
	(e) Voting more than once.		(h) "State" defined.
1973j.	Civil and criminal sanctions.		(i) False registration, and other fraudulent acts and conspiracies: application of penalty for false information in registering or voting.
	(a) Depriving or attempting to deprive persons of secured rights.	1973aa-1a.	Bilingual election requirements.
	(b) Destroying, defacing, mutilating, or altering ballots or official voting records.		(a) Congressional findings and declaration of policy.
	(c) Conspiring to violate or interfere with secured rights.		(b) Bilingual voting materials requirement.
	(d) Civil action by Attorney General for preventive relief; injunctive and other relief.		(c) Requirement of voting notices, forms, instructions, assistance, or other materials and ballots in minority language.
		1973aa-2.	(d) Action for declaratory judgment permitting English-only materials.
			(e) Definitions.
		1973aa-3.	Judicial relief; civil actions by the Attorney General; three-judge district court; appeal to Supreme Court.
		1973aa-4.	Penalty.
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1973aa-5.	Survey to compile registration and voting statistics. (a) Elections to House of Representatives and elections designated by United States Commission on Civil Rights. (b) Prohibition against compulsion to disclose personal data; advice of rights. (c) Report to Congress. (d) Confidentiality of information; penalties.		(a) In general. (b) Submission and processing. (c) Special rules. (d) Second ballot submission; instruction to overseas voter. (e) Use of approved State absentee ballot in place of Federal write-in absentee ballot. (f) Certain States exempted.
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PART II—RESPONSIBILITIES OF FEDERAL GOVERNMENT		1973gg-3.	Simultaneous application for voter registration and application for motor vehicle driver's license. (a) In general. (b) Limitation on use of information. (c) Forms and procedures. (d) Change of address. (e) Transmittal deadline.
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1973ee-2.	Selection of registration facilities.	1973ee-3.	(a) Printed instructions; telecommunications devices for the deaf. (b) Medical certification. (c) Notice of availability of aids.
1973ee-3.	Registration and voting aids.	1973ee-4.	Enforcement. (a) Action for declaratory or injunctive relief. (b) Prerequisite notice of non-compliance. (c) Attorney fees.
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1973ee-5.	Relationship to Voting Rights Act of 1965.	1973ee-6.	Definitions.
1973ee-6.	Definitions.	SUBCHAPTER I-G—REGISTRATION AND VOTING BY ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS IN ELECTIONS FOR FEDERAL OFFICE	
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1973ff-1.	State responsibilities.	1973gg-6.	Requirements with respect to administration of voter registration. (a) In general. (b) Confirmation of voter registration. (c) Voter removal programs. (d) Removal of names from voting rolls. (e) Procedure for voting following failure to return card. (f) Change of voting address within a jurisdiction. (g) Conviction in Federal court. (h) Omitted. (i) Public disclosure of voter registration activities. (j) “Registrar’s jurisdiction” defined.
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